



GREENWOOD COMMON COUNCIL OCTOBER 3, 2005 MINUTES

Mayor Charles Henderson called the meeting to order at 7:00 p.m.

The audience recited the Pledge of Allegiance in unison, after which Tony Gonzalez of the New Hope Church led in prayer.

PRESENT:	Council members Bruce Armstrong, Ron Bates, Bill Bless, Ron Deer, John Gibson, Keith Hardin, Jessie Reed; Mayor Henderson; City Attorney Shawna Koons-Davis; and Deputy Clerk Kathie Fritz.
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Mr. Bates moved to approve the minutes of the September 19th regular session. Second by Mr. Bless.
Vote: Ayes.

The City Attorney had distributed her litigation report. In response to Mr. Hardin, Ms. Koons-Davis told the Council, regarding the Campbell case, that she had confirmed the money had been paid and deposited and the case will be resolved as soon as we receive the check. It will go back into the General Fund.

Mr. Bates reported that the Plan Commission met last Monday at the Community Center for a training session. They received a status report from a representative from Ball State University on the Comprehensive Plan project. About 40% of the project is complete. There will be surveys sent out in selected areas regarding that project as well. The Commission also discussed possible fee schedule amendments. They also acted on a request to rename Bainbridge, Section 1 and Southlake at Bainbridge, Section 2 to The Trails at Southlake, Section 1 and the Preserve at Southlake, Section 2 respectively. Planning Director Ed Ferguson noted that the surveys should be ready for distribution within the next couple of weeks. There will be one city-wide survey for citizens in general, probably distributed with the sanitation bills, he added, and four other surveys that target specific groups – City officials, elected and appointed, not for profit community service organizations, downtown businesses and residences, etc. There will be at least two public meetings.

ORDINANCE No. 05-14 – An Ordinance Annexing Certain Territory Within the Area of Extended Jurisdiction of the City of Greenwood, Indiana, Placing the Same Within the Corporate Boundaries Thereof and Making the Same a Part of the City of Greenwood and Redefining the Corporate Boundaries of the City of Greenwood, Indiana, Approximately 68 Acres Located on the South Side of Cutsinger Road and East of Honey Creek Road (commonly known as the J. Greg Allen and Associates Property).
POSTPONED UNTIL OCTOBER 17, 2005 MEETING FOR FIRST READING AND PUBLIC HEARING.

ORDINANCE No. 05-20 – An Ordinance to Amend the Official Zoning Map Adopted by Reference in Zoning Ordinance No. 82-1 Entitled “An Ordinance Establishing Comprehensive Zoning Regulations For the City of Greenwood, Indiana, and Providing for the Administration, Enforcement, and Amendment Thereof, In Accordance With the Provisions of I.C. 36-7-4-600 et seq. Laws of Indiana, As Amended, and For the Repeal of All Ordinances In Conflict Herewith” (Proposed Rezoning of 9.6 acres, 1401 and 1411 W. County Line Road, commonly known as Robert & Patricia Kearney and Melwesco, L.P. Properties). Mr. Bates moved to pass Ordinance No. 05-20 through first reading, with second by Mr. Gibson. Mr. Bates noted that the residents are in agreement. He agreed with Mr. Hardin that the intention is to turn the park area in the back over to the Parks Department. The Parks Department will make that decision.
Vote: Ayes. **PASSED FIRST READING.**

ORDINANCE No. 05-08 – An Ordinance Annexing Certain Territory Contiguous to the City of Greenwood, Indiana, Placing the Same Within the Corporate Boundaries Thereof and Making the Same a Part of the City of Greenwood and Redefining the Corporate Boundaries of the City of Greenwood, Indiana, Approximately 10.0 Acres Located on the South Side of Demaree Road and West of Honey

Creek Road, and Commonly Known as the Cobblestone, LLC Property. **POSTPONED FOR SECOND READING UNTIL OCTOBER 17, 2005 MEETING.**

ORDINANCE No. 05-17 – An Ordinance Vacating Platted Drainage and Utility Easements on Blocks 1A and 1B in Greenwood Springs Subdivision. Ms. Reed moved to pass Ordinance No. 05-17 through second reading. Second was by Mr. Bates. Mayor Henderson opened the public hearing for comments or questions. The petitioner explained that this was formerly a two-lot commercial subdivision and is now subdivided. This will “clean out” the old utility and drainage easements that were in the old plat. The new plat shows the correct ingress/egress, drainage and utility easements. As no one else spoke, the public hearing was closed. Vote: Ayes. **PASSED SECOND READING.**

ORDINANCE No. 05-18 – An Ordinance Providing For an Additional Appropriation From the Aviation Operating Fund to the Board of Aviation Commissioners for the Local Share Match of AIP-19 Grant (\$12,700). Mr. Hardin moved to pass Ordinance No. 05-18 on second reading. Second by Mr. Gibson. Mayor Henderson opened the public hearing for input from the audience. As no one spoke, the public hearing was closed. Vote: Ayes. **PASSED SECOND READING.**

ORDINANCE No. 05-19 – An Ordinance Authorizing Issuance of Bonds For the Purpose of Providing Funds to be Applied to Pay for Acquisition of Two Fire Trucks and Related Equipment, and Incidental Expenses in Connection Therewith and on Account of the Issuance of the Bonds, and the Appropriation of Such Funds. Mr. Hardin moved to pass Ordinance No. 05-19 through second reading. Second by Mr. Bless. Vote: Ayes. **PASSED SECOND READING.**

ORDINANCE No. 05-21 – An Ordinance Amending the Greenwood Municipal Code (1993), As Amended, Chapter 8, Article 5, Section 8-45 to Alter Speed Zones (Summerfield Village Subdivision, Section 3). Mr. Deer noted that Declaration Drive and Summer Breeze should be included. The City Attorney will amend the ordinance before first reading. **INTRODUCED.**

ORDINANCE No. 05-22 – An Ordinance Transferring Funds From the Budget of the Board of Public Works and Safety (\$80,000), City Court (\$63,296), Fire Department (\$60,000), Motor Vehicle Highway (\$25,000), and Police Department (\$170,000) to the Budget of the Board of Public Works and Safety for PERF, FICA, and Health Insurance Premium Payments. Ms. Fritz explained that the Court portion should have been in the Board of Works budget originally and that portion was paid out of BOW 112. FICA and PERF were not budgeted for longevity pay, said Ms. Fritz, and added that perhaps since longevity is an employee benefit, people didn't realize we paid FICA and PERF on longevity pay. She went on to say that the PERF percentage budgeted was 5.25% and we pay into PERF 5.5%. The department heads have been notified that for 2006, PERF is increasing to 5.75% and that FICA and PERF have to be included on longevity pay. Ms. Fritz then discussed the audit that was done on insurance claims and the money received back from KBA, our former third party administrator. The City has always escrowed, she said, and \$220,000 of the money being moved is for the escrow fund for the November and December premiums. **INTRODUCED.**

Under miscellaneous business, Mr. Hardin brought up Ordinance No. 05-15 and concern on the part of some Council members regarding the salaries of elected officials. Ms. Fritz confirmed that the Clerk-Treasurer had spoken with Paige Gregory of H.J. Umbaugh, who told her that the elected officials' ordinance supersedes what was passed in the budget for salaries. The City Attorney indicated that she anticipates having another elected officials' salary ordinance for introduction at the next meeting.

Mr. Armstrong reported that he had received a complaint from a constituent about soliciting after dark, specifically by the Wabash Valley Teens. He learned from Assistant City Attorney Raynel Berry that “No Soliciting” signs do apply to organizations like this. Any ticket issued would be against the company, not the individual. Ms. Koons-Davis told the Council that our ordinance does not restrict the hours but does restrict individuals from going onto private property where there is a “No Soliciting” sign. Mr. Armstrong suggested amending the ordinance so that soliciting would end at dusk or 9:00 p.m., whichever occurs first. In response to Mr. Hardin, counsel explained that if a charitable organization wants to solicit on public property or go door to door we require them to provide a list of those who will represent that group and they must wear identification. This is to be filed with the Clerk-Treasurer's office. For profit groups get a license for a fee. Political and religious organizations do not register.

Mr. Armstrong next asked about the weeds at the railroad tracks at Stop 18 on the south side of the road, between the fence of Grassy Creek Commons and the railroad tracks. He wondered if it is railroad property or Sentry Homes property. The Mayor will have Code Enforcement check.

A resident in Grassy Creek Commons has complained that the developer is trying to sell to another developer. Mr. Ferguson mentioned that we have no control over a developer or builder selling to another. He has been told that the home builder has pulled out and they are trying to sell those lots to another home builder.

Ms. Reed then said she has been asked what kind of business can be operated out of your front yard. Someone is selling firewood in this way. There was also a question earlier this summer about someone selling cars from their residence, said Mr. Hardin, and he wondered if there was an update from Code Enforcement. Ms. Koons-Davis will check the ordinance, but mentioned that she thought 10 personal vehicles per year could be sold. Garage sales are limited to 3 days, said the Mayor, and 3 times a year.

In response to Mr. Deer, Mr. Jackson indicated that there is a water easement next to Kroger on the north side of County Line Road. The airport granted Greg Allen this easement that goes down to a property west of the airport. Mr. Jackson understands there will be a strip mall on the north side of the road.

Mr. Deer asked about the Allen property on County Line, as there is no de-cel lane. Mr. Ferguson explained that is regulated by Marion County and went on to describe the need for two stoplights close together on Emerson Avenue near the Greenwood Springs Development. The southern light is at the main drive to the project.

Ms. Koons-Davis told representatives from Radio Cab that there will be a public hearing before the Board of Public Works and Safety at their October 20th meeting regarding the rate hike request. Then the Board will do a resolution making a recommendation on the taxicab increase.

The Mayor reported he served on the search committee for the Johnson County Development Corporation director. They hired a lady from Johnson County who works for State Commerce now. There were 25 applicants.

Regarding the special census, the Mayor said that he hopes to have a manager for the project within the next week or so. We may use space in the police training center, which would save about \$20,000 in leasing costs. Another advantage would be that the center is already wired for phones.

With no further business, the meeting adjourned at 7:45 p.m.